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1653  
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PTO/SB/30 (10/2001)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/692,938
Filing Date	October 20, 2000
First Named Inventor	Meyerhoff
Art Unit	1653
Examiner Name	Gupta
Attorney Docket Number	Army 126

#10  
M.G.J.  
3/12/03

## This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

### 1. Submission required under 37 CFR §1.114

#### a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

#### b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☒ Affidavit(s)/Declaration(s)

iv. ☐ Other \_\_\_\_\_

### 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR §1.17(i) required)

b. ☐ Other \_\_\_\_\_

### 3. Fees

The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 21-0380

i. ☒ RCE fee required under 37 CFR §1.17(e)

03/03/2003 AUHDAF1 00000116 210380 09692938

ii. ☒ Extension of time fee (37 CFR §§1.136 and 1.17)

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iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)

Caroline Nash

Registration No. (Attorney / Agent)

~~36,329~~ 36,329

Signature

*Caroline Nash*

Date

February 21, 2002

## CERTIFICATE OF MAILING OR TRANSMISSION

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Caroline Nash

Signature

*Caroline Nash*

Date

February 21, 2003

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# AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s): Meyerhoff, et al.

Docket No.

Army 126

Serial No.

09/692,938

Filing Date

October 20, 2000

Examiner

Gupta, Anish

Group Art Unit

1653

Invention: A PHARMACEUTICAL COMPOSITION CONTAINING PGLU-GLU-PRO-NH2 AND METHOD FOR TREATING DISEASES AND INJURIES TO THE BRAIN, SPINAL CORD AND RETINA USING SAME

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

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Transmitted herewith is an amendment in the above-identified application.

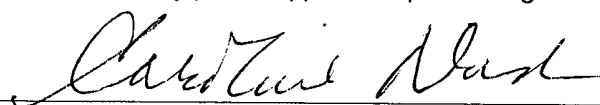
The fee has been calculated and is transmitted as shown below.

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## CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	11 -	20 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	6 -	6 =	0 x	\$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☐ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.



Signature

Dated: February 21, 2003

Caroline Nash, Reg. No. 36,329

Nash & Titus, LLC

3415 Brookeville Road

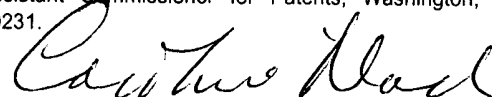
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for: Elizabeth Arwine, Reg. No. 45,867

Fort Detrick, MD 21702-9223

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of  
Meyerhoff, et al.

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Serial No.: 09/692,938

MAR 04 2003

Group Art Unit: 1653

Filed: October 20, 2000

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Examiner: Gupta, Anish

FOR: A PHARMACEUTICAL COMPOSITION CONTAINING PGLU-GLU-PRO-NH<sub>2</sub>  
AND METHOD FOR TREATING DISEASES AND INJURIES TO THE BRAIN,  
SPINAL CORD AND RETINA USING SAME

11/8  
19.3  
3/12/03

\* \* \* \* \*

AMENDMENT

Asst. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Responsive to the Office Action dated October 22, 2002, please enter the  
following amendments and consider the following remarks.

IN THE CLAIMS:

✓ Please cancel claims 9 and 12.

Please amend the claims as follows:

B<sup>1</sup>  
1. (Twice Amended) A pharmaceutical composition comprising a neuroprotective  
amount of pGLU-GLU-PRO-amide as an active ingredient and a pharmaceutically  
acceptable carrier, wherein said neuroprotective amount is an amount sufficient to reduce  
Glu induced neurotoxicity in brain, spinal cord and/or retina.

B<sup>2</sup>  
7. (Twice Amended) A method of reducing Glu induced neurotoxicity in brain, spinal  
cord and/or retina comprising administering to a patient a composition comprising a